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IN THE U.S. DISTRICT COURT OF SOUTHERN OHIO

MAR - 7 2012

JAMES BONINI, CLERK
COLUMBUS, OHIO

Erin K. Grove

Plaintiff

JUDGE FROST

MAGISTRATE JUDGE ABEL

VS.

Patrick R. Donahue,

Postmaster General,

United States Postal Service,

(Eastern Area)

Defendant

2:12 cv 202

MERIT OF CLAIM

The U.S. Equal Employment Opportunity Commission has agreed with the Plaintiff that the Administrative Judge erred in not addressing the Plaintiff's pregnancy discrimination claim. The commission has noted that violations of HIPAA were made, but are not within the jurisdiction of the commission. The EEOC has given the Plaintiff the right to file a civil action.

COMPLAINT

This is a civil action for the discrimination of employment and unlawful termination of Erin K. Grove, Postal Carrier, by the United States Postal Service. The U.S. Postal Service is in violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. 2000et seq., the Pregnancy Discrimination Act (PDA), 42 U.S.C. 2000 e(k) (1978) and HIPAA rights of the Plaintiff.

On January 14, 2009 the Plaintiff, Erin Grove, was subject to adverse employment action by being forced to receive a medical examination in the presence of Manager Paula Williams of the U.S. Postal Service. The Plaintiff was pregnant and injured at the time of the examination and had previously given Manager Williams medical documentation to this effect on January 7, 2009. Manager Williams admitted to receiving medical documentation from the Plaintiff.

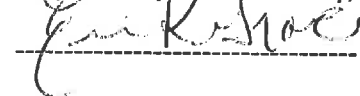
Manager Williams did not properly file Plaintiff's medical documentation at the United States Postal Service. In fact, the United States Postal Service is unable to present any of the Plaintiff's medical documentation. The Plaintiff had received medical care at St. Ann Hospital in Columbus, Ohio on January 6, 2009. The United States Postal Service Workers Compensation agreed that the Plaintiff was injured on January 5, 2009 and paid all medical bills. The Plaintiff's Civil and HIPAA rights were violated by being forced to be medically examined at the demand and in the presence of Manager Williams on January 14, 2009 one week after Plaintiff had already been treated.

The Plaintiff was terminated for not reporting an accident on January 5, 2009. The Plaintiff did report the injury to the acting manager the morning of January 6, 2009 and gave Manager Williams medical documentation of the injury on January 7, 2009 from St. Ann hospital. The accident report filed by management at the United States Postal Service states that the Plaintiff did not have an accident. Therefore, the Plaintiff was discriminated against and unlawfully terminated for being pregnant and injured. The United States Postal Service paid the Plaintiff unemployment compensation after Plaintiff's termination.

Request for Relief

Compensation should be entitled to the amount of 150,000 dollars, for wages lost due to the unlawful termination and malicious discriminatory acts that are a violation of the Plaintiff's HIPAA and Civil Rights, by harassing and terminating a pregnant, injured employee.

Respectfully Submitted by,

 3/7/12

Erin Grove

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